

City Clerk File No. Ord. 19-014

Agenda No. 3.A 1st Reading

Agenda No. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 19-014

TITLE:

AN ORDINANCE SUPPLEMENTING CHAPTER 131, (CONSTRUCTION CODES, UNIFORM) ADOPTING THE UPDATED CONSTRUCTION SITE SAFETY MANUAL, 2019 EDITION, AND INCORPORATING THE SAFETY REGULATIONS CONTAINED THEREIN, BY REFERENCE, INTO CHAPTER 131

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY HEREBY ORDAINS:

WHEREAS, Pursuant to N.J.S.A. 40:48-2, the City of Jersey City is empowered to enact and enforce ordinances and regulations necessary to ensure the protection of persons and property and the preservation of the public's health, safety and welfare; and

WHEREAS, pursuant to both State statute and the Municipal Code, the Construction Code Official is empowered to administer and enforce the State's Uniform Construction Code and to enforce ordinances and regulations necessary to ensure the protection of persons and property at construction sites during construction; and

WHEREAS, the New Jersey Administrative Code charges the owner and/or contractor working on a construction site with the responsibility of ensuring the safety of those working at the site as well as the members of the public who live and work near it; and

WHEREAS, in 2008 the City's Construction Code Official authored the City's first Construction Site Safety Manual setting forth the safety regulations for owners, contractors and other construction personnel who are engaged in construction work throughout the City; and

WHEREAS, on August 6, 2008, the Municipal Council approved Ordinance 08-100 formally adopting the City's first official Construction Site Safety Manual; and

WHEREAS, in September of 2018, after the expiration of ten years, the City's Construction Code Official reviewed and updated the City's official Construction Site Safety Manual which was adopted by the Municipal Council on September 26, 2018 by Ordinance 18-106; and

WHEREAS, amendments have been made to Sections 7 & 8 of the Manual addressing pedestrian safety and to Section 20 adding new requirements to signage at construction sites; and

WHEREAS, a copy of the Construction Site Safety Manual, 2019 Edition is attached hereto as Exhibit "A"; and

WHEREAS, it is in the best interest of the City to replace the current Construction Site Safety Manual, formally adopt this updated 2019 Edition of the Construction Site Safety Manual and incorporate the regulations contained therein as part of Chapter 131 of the Municipal Code.

NOW, THEREFORE BE IT ORDAINED, by the Municipal Council of the City of Jersey City that the following amendments to Chapter 131 (Construction Codes, Uniform) are hereby adopted:

AN ORDINANCE SUPPLEMENTING CHAPTER 131, (CONSTRUCTION CODES, UNIFORM) ADOPTING THE UPDATED CONSTRUCTION SITE SAFETY MANUAL, 2019 EDITION, AND INCORPORATING THE SAFETY REGULATIONS CONTAINED THEREIN, BY REFERENCE, INTO CHAPTER 131

**CHAPTER 131
CONSTRUCTION CODES, UNIFORM**

131-1 Enforcing agency established.

A. through C.

NO CHANGE.

- D. The City hereby adopts the ~~2018~~ 2019 Edition of the Construction Site Safety Manual, as amended, ~~and dated September 2018~~, which is on file in the Office of the City Clerk. The ~~2018~~ 2019 Edition of the Construction Site Safety Manual replaces and supersedes ~~the all~~ previous versions of the Construction Site Safety Manual.
- E. The Construction Code Official may enforce and amend the ~~2018~~ 2019 Edition of the Construction Site Safety Manual as necessary.
- F. The regulations contained in the ~~2018~~ 2019 Edition of the Construction Site Safety Manual are made a part of Chapter 131 of the Municipal Code and are hereby incorporated by reference.
- G. In addition to any power conferred upon the Construction Official pursuant to the New Jersey Administrative Code, the Construction Official may enforce compliance with the Construction Site Safety Manual by issuing complaint/summons under authority of the Jersey City Code and the Penalty Enforcement Law, N.J.S.A. 2A:58-10, et. seq.
- H. A certified copy of the ~~2018~~ 2019 Edition of the Construction Site Safety Manual shall be on file and available for review online and at the offices of the Construction Code Official and the City Clerk. Photocopies may be obtained for a fee, pursuant to the City Code provision for fees.
- I. All ordinances and parts of ordinance inconsistent herewith are hereby repealed.
- II. This ordinance shall be part of the Jersey City Code as though codified and fully set forth therein. The City Clerk shall have this ordinance and incorporated in the official copies of the Jersey City Code.
- III. This ordinance shall take effect at the time and in the manner as provided by law.
- IV. The City Clerk and the Corporation Counsel be and are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing provisions.

NOTE: All new material is underlined; words in [brackets] are omitted. For purposes of advertising only, new matter is **boldface** and repealed matter by *italics*.

JJH 2/1/19

APPROVED AS TO LEGAL FORM

APPROVED: _____

Corporation Counsel

APPROVED: _____

Business Administrator

Certification Required ☐

Not Required ☐

ORDINANCE FACT SHEET

This summary sheet is to be attached to the front of any Ordinance that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the Ordinance.

Full Title of Ordinance

AN ORDINANCE SUPPLEMENTING CHAPTER 131, (CONSTRUCTION CODES, UNIFORM) ADOPTING THE UPDATED CONSTRUCTION SITE SAFETY MANUAL, 2019 EDITION, AND INCORPORATING THE SAFETY REGULATIONS CONTAINED THEREIN, BY REFERENCE, INTO CHAPTER 131

Initiators

Department/Division	The Municipal Council	Office of the Municipal Council President
Name/Title	Rolando R. Lavarro, Jr.	Municipal Council President
Phone/email	201-547-5268	rlavarro@jcnj.org

Department/Division	The Municipal Council	Office of the Ward E Councilperson
Name/Title	James Solomon	Councilman, Ward E
Phone/email	201-547-5315	jsolomon@jcnj.org

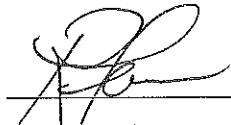
Department/Division	The Municipal Council	Office of the Ward B Councilperson
Name/Title	Mira Prinz-Arey	Councilwoman, Ward B
Phone/email	201-547-5092	mprinz-arey@jcnj.org

Note: Initiators must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Ordinance Purpose

This Ordinance adopts a new version of the Construction Site Safety Manual, replaces the 2018 version and incorporates the regulations contained therein as part of Chapter 131 of the Municipal Code.

I certify that all the facts presented herein are accurate.



Rolando R. Lavarro, Jr.
Municipal Council President

February 19, 2019

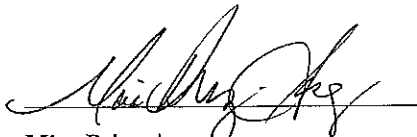
Date



James Solomon
Councilman, Ward E

February 19, 2019

Date



Mira Prinz-Arey
Councilwoman, Ward B

February 19, 2019

Date

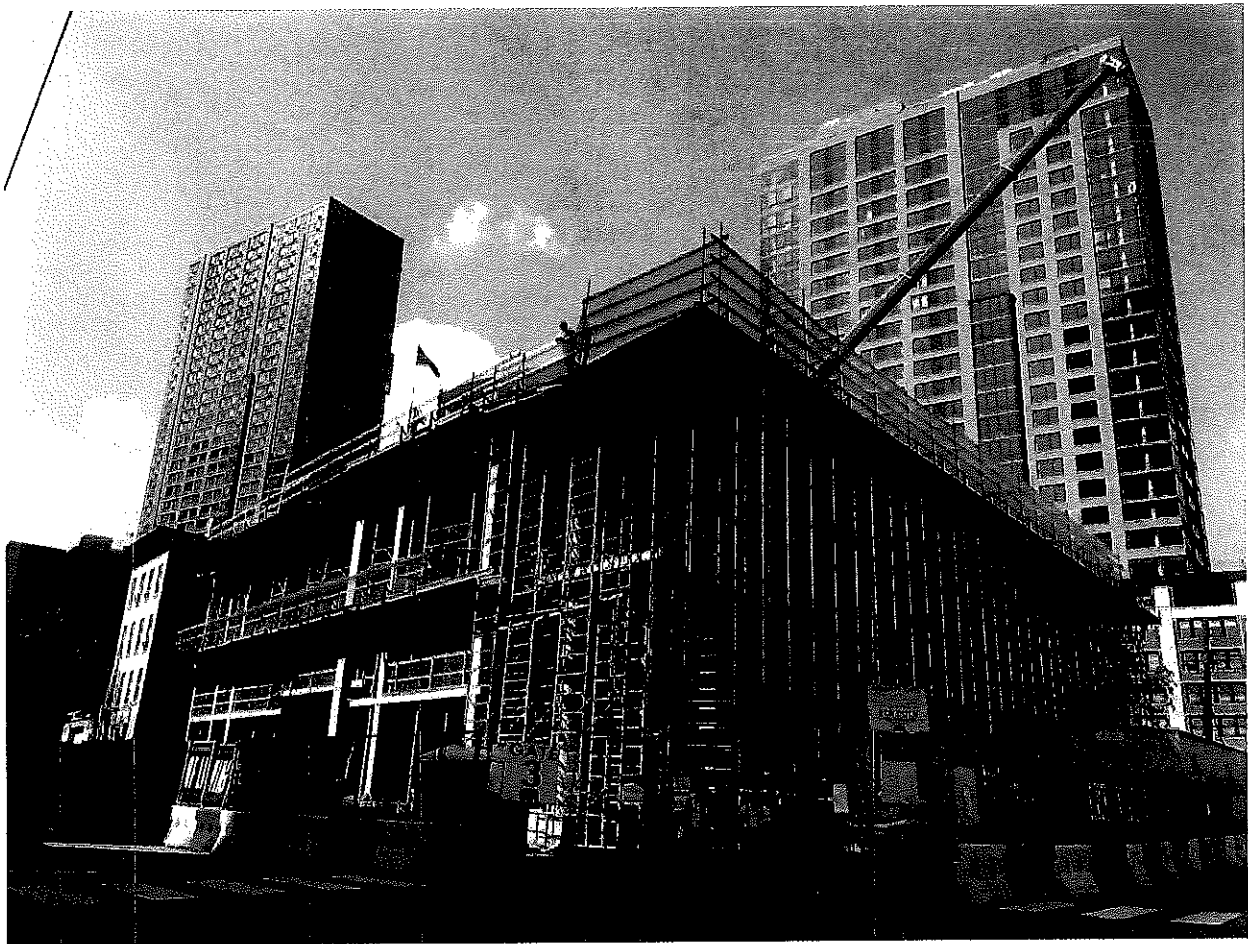
EXHIBIT A



CITY OF JERSEY CITY

CONSTRUCTION SITE SAFETY MANUAL

2019 EDITION



DEPARTMENT OF HOUSING, ECONOMIC DEVELOPMENT & COMMERCE
OFFICE OF THE CONSTRUCTION CODE OFFICIAL

RAYMOND R. MEYER
Construction Code Official

TABLE OF CONTENTS

§ 1 - Purpose of this Manual	1
§ 2 - Worker Safety	1
§ 3 - Responsibility for construction site management; Safety Consultants	1
§ 4 - Reporting requirements	1
§ 5 - Special Technical Services & Emergency Actions	2
§ 6 - Stop Work Orders	2
§ 7 - Work Site Safety Plans; when mandatory	2
§ 8 - Pedestrian/bicyclist safety.	3
§ 9 - Traffic control	3
§ 10 - Monitoring of wind conditions; control of windborne materials	3
§ 11 - Fire safety.	4
§ 12 - Removal of debris	4
§ 13 - Stripping of cement forms	4
§ 14 - Pile driving	4
§ 15 - Power washing.	5
§ 16 - Construction sheds/storage areas; Site Storage Plan	5
§ 17 - Soil & dust control	5
§ 18 - Hours of operation	6
§ 19 - Exterior hoist ways	6
§ 20 - Construction site identification	6
§ 21 - Security Barriers	8
§ 22 - Mechanical equipment safety	8
§ 23 - Sanitation & rodent control	8
§ 24 - Noise control	10
§ 25 - Fines	10
Office of the Construction Code Official Contact List	11

TABLE OF CONTENTS

§ 1 - Purpose of this Manual	1
§ 2 - Worker Safety	1
§ 3 - Responsibility for construction site management; Safety Consultants	1
§ 4 - Reporting requirements	1
§ 5 - Special Technical Services & Emergency Actions	2
§ 6 - Stop Work Orders	2
§ 7 - Work Site Safety Plans; when mandatory	2
§ 8 - Pedestrian/bicyclist safety	3
§ 9 - Traffic control	3
§ 10 - Monitoring of wind conditions; control of windborne materials	3
§ 11 - Fire safety	4
§ 12 - Removal of debris	4
§ 13 - Stripping of cement forms	4
§ 14 - Pile driving	4
§ 15 - Power washing	5
§ 16 - Construction sheds/storage areas; Site Storage Plan	5
§ 17 - Soil & dust control	5
§ 18 - Hours of operation	6
§ 19 - Exterior hoist ways	6
§ 20 - Construction site identification	6
§ 21 - Security Barriers	8
§ 22 - Mechanical equipment safety	8
§ 23 - Sanitation & rodent control	8
§ 24 - Noise control	10
§ 25 - Fines	10
Office of the Construction Code Official Contact List	11

§ 1 - Purpose of this Manual

This Manual describes construction control policies ("Construction Controls") issued under the authority of the New Jersey Uniform Construction Code ("UCC") which include, but are not limited to:

- Work site safety
- Site responsibility & reporting requirements
- Closing construction sites
- Plans which must be filed with the Construction Official
- Monitoring of wind conditions and control of windborne materials
- Traffic control during construction and street closures

Federal, State, or local laws and regulations which exceed those in this Manual shall govern. In drafting this Manual the Construction Official has relied upon the International Building Code (known as the "IBC"/2000, and its subsequent revisions) which was adopted by the State of New Jersey and incorporated into the State's Administrative Code as N.J.A.C. 5:23-3.1 et seq. If the reader does not find an answer to a question in this Manual, the reader should consult the IBC and/or the Administrative Code.

§ 2 - Worker Safety

Construction or demolition work (as defined below) shall at all times comply with applicable provisions of the Federal Occupational Safety and Health, 29 U.S.C. 651 et seq.

§ 3 - Responsibility for construction site management; Safety Consultants

The provisions of this section shall define the construction controls required for all buildings involving professional architecture/engineering services and delineate the responsibilities of such professional services together with those services that are the responsibility of the contractor during construction.

The owner of the property on which the construction is taking place shall be responsible for strict compliance with the construction controls in this Manual and the directives of the Construction Official.

The owner may appoint "Safety Consultant," who shall have the authority to suspend or stop work if the controls herein are not implemented or followed. The Safety Consultant shall follow the directives of the Construction Official.

§ 4 - Reporting Requirements

N.J.A.C. 5:23-2.21 designates the responsibilities of all those providing professional architecture/engineering services on a construction project and the responsibilities of the contractor during a construction project, including, but not limited to, a description of the reports which must be submitted to the Office of the Construction Official.

Owners must provide a certificate of insurance in a form acceptable to the construction official and list of all those identified on any permit document including subcontractors.

In addition, the Office of the Construction Official must be notified in writing within 72 hours of the transfer of title of any construction or demolition site, whether to a corporation, limited liability company, partnership, person or other entity.

§ 5 - Special Technical Services & Emergency Actions

Pursuant to N.J.A.C. 5:23-2.19, the Construction Official is empowered to secure the services of an expert, such as a licensed engineer or registered architect, to assess the conditions stemming from the violation of any applicable code or statute with the costs of such services to be paid by the owner of record. Such expert reports shall contain the information deemed necessary by the Construction Official to aid in:

- Analysis of materials and installation or design methods not covered by the provisions of the sub-codes;
- Site investigation;
- Structural analysis; and
- Building systems analysis (that is, mechanical, electrical, vertical transportation, and so forth)

Furthermore, in accordance with N.J.A.C. 5:23-2.32(b), should any emergency condition arise, the Construction Official may take the all necessary steps to safeguard the area and may direct the owner as to what must be done to ensure safety. In such cases, owners shall be responsible for all costs incurred for failure to act within the prescribed time frame.

Should any emergency arise on a construction site requiring that the Police and/or Fire personnel shut down the site, the Construction Official shall be notified immediately, and the site will remain shut down until either the Safety Consultant or a licensed design professional provides a report to the Construction Official explaining the cause of the emergency, listing corrective actions taken and providing assurance that the site is safe to re-open. Only upon approval of this report will the Construction Official give consent to reopen the site.

§ 6 - Stop Work Orders

Consistent with N.J.A.C. 5:23-1(b), et seq., the Construction Official is empowered to stop all construction or demolition work by issuing a Stop Work Order and close a construction or demolition site if, in the Construction Official's sole discretion, it appears that the site is unsafe or the working conditions are in violation of any applicable statutes or regulations.

§ 7 - Work Site Safety Plans; when mandatory

If the Construction Official determines that a proposed construction project or demolition project will likely have negative impact on vehicular or pedestrian traffic, or will likely have a negative effect on adjoining properties, then the Construction Official will notify the owner that he or she must submit a Work Site Safety Plan prior to the commencement of the project. Every Work Site Safety Plan shall include plans to safeguard the site, all persons on or near the site, any properties adjacent to the site together with the following: (i) an architect's specifications for building and/or demolition; (ii) equipment to be used; (iii) traffic routing plan during that construction or demolition is to take place including and preparatory and cleanup times; (iv) parking plans for workers' cars; (v) proposed dates and times of any necessary street closings; (vi)

plans for sidewalk protection; (vii) plans for ensuring pedestrian safety in accordance with § 8 of this Manual; and (viii) a post construction/demolition site clean-up plan.

Utilization of Emergency Services shall be in accordance with Fees and Procedures prescribed in the Municipal Code.

§ 8 - Pedestrian/bicyclist safety

A Work Site Safety Plan must consider the following when planning for pedestrian safety:

1. Pedestrians should not be led into conflicts with vehicles, equipment, and operations.
2. Pedestrians should not be led into conflicts with vehicles moving through or around the worksite.
3. Pedestrians should be provided with a convenient and accessible path that replicates as nearly as practical the most desirable characteristics of the existing sidewalk(s) or footpath(s).
4. Encroachment into dedicated bicycle lanes is to be avoided, if possible. If encroachment into bicycle lanes is necessary, advance signage must be placed to notify cyclists.

A pedestrian route should not be severed and/or moved for non-construction activities such as parking for vehicles and equipment. Consideration should be made to separate pedestrian movements from both worksite activity and vehicular traffic. Unless an acceptable route that does not involve crossing the roadway can be provided, pedestrians should be appropriately directed with advance signing that encourages them to cross to the opposite side of the roadway. These signs should be placed at intersections (rather than midblock locations) so that pedestrians are not confronted with midblock worksites that will induce them to attempt skirting the worksite or making a midblock crossing.

§ 9 - Traffic control

Street closings must be approved by the Division of Engineering, Traffic & Transportation prior to the beginning of work. Requests to re-route traffic must be approved by both the Division of Engineering, Traffic & Transportation as well as the Office of the Emergency Management. The permitted times for street closures shall be from 10:00 A.M. to 3:00 P.M., Monday through Friday. Equipment necessary for traffic control shall be specified in the approval and shall be obtained by and paid for by the individual requesting the closure. For more information about street closure consult the City's Traffic Barrier Manual available in the Office of the City Clerk.

§ 10 - Monitoring of wind conditions; control of windborne materials

Wind conditions shall be monitored daily and precaution taken against allowing any materials or debris from becoming windborne, including but not limited to:

- Installing fine mesh netting on the building exterior if sections of the building face the public rights-of-way and are exposed to the elements;
- Inspecting the entire site daily and keeping all floors and rooms swept and clean;
- Securing all construction materials on the premises capable of becoming airborne.

If wind conditions become such that equipment may no longer be safely used according to the manufacturer's recommendation, the equipment shall be shut down and properly stored until it is safe to be utilized.

§ 11 - Fire safety

In addition to requirements of the Uniform Fire Safety Code, N.J.S.A. 52:27d-139 et seq., structures of 150 feet or more must have a fire pump and structures of four stores a standpipe (See, IBC 2000, Sections 905-907). All structures, regardless of height, must have an illuminated interior stair case. Siamese connections shall be in an approved location and marked with a 24-hour red light above the connection.

High Rise Provisions. Structures of more than seven (7) stories shall comply with the following:

- Two (2) illuminated staircases with standpipes installed, two levels below the floor being constructed;
- A lock job box containing equipment required by the Fire Department to effectively extinguish a fire placed at the same level as the standpipe termination.

Combustible materials. The use and storage of all combustible liquids and gases shall be in accordance with applicable governmental regulations and Fire Department directives. All burning and combustible material permits must be affixed in a conspicuous location on site.

§ 12 - Removal of debris

No equipment or materials shall obstruct the public right-of-way. No debris shall be allowed to accumulate on or near the construction site for more than twenty-four (24) hours, nor be thrown from the site. Debris must be hoisted off in containers or discharged by chute into a dumpster.

Dumpsters or container for construction debris shall not be placed on a sidewalk or in the public right-to-way without a permit from the Division of Engineering, Traffic & Transportation.

§ 13 - Stripping of cement forms

The area below any cement form to be stripped shall be protected with netting and boards and wood supports tied off prior to removal. Materials may be stored during stripping operations provided they appropriately tied off; but they must be removed daily prior to closing the work site.

Wind conditions shall be monitored prior to stripping and safety measures to protect persons or property implemented.

§ 14 - Pile driving

Prior to driving any piles, a survey of the area must be conducted to ascertain the vibratory effects of the pile driving. Design professional must provide an evaluation of the vibratory effects and procedures that will minimize the likelihood of damage to persons or property. The pile driving shall be monitored by the design professional to ensure compliance with the methods recommended.

There shall be no pile driving before 8:30 A.M. or after 5:00 P.M.

§ 15 - Power washing

Prior to the commencement of power washing, care shall be taken to protect the area adjacent to the structure being power washed. Failure to do so shall result in the issuance of a Stop Work Order.

§ 16 - Construction sheds/storage areas; Site Storage Plan

Temporary construction sheds or storage areas within the work site must be constructed of a noncombustible material in accordance with the Fire Prevention Code. Sheds and any storage areas must be equipped with sprinklers, alarm devices and other smoke or fire notification systems. Sheds shall have placards warning of the presence of hazardous materials installed on the outside in the form proscribed in the Fire Prevention Code. If the storage area is to contain any hazardous materials, the storage area must be cordoned off with a placard warning of the presence of hazardous materials placed immediately outside the storage area in the form prescribed by the Fire Prevention Code.

A Site Storage Plan, which shall include Material Specification Data ("MSD") sheets, inventory statement(s), emergency response plan(s), etc., and the locations of any storage sheds or storage areas, shall be submitted. No materials classified by the Fire Prevention Code as hazardous shall be stored at the construction until the Site Storage Plan is approved.

§ 17 - Soil & dust control

Soil

Areas in and around work sites shall be maintained to prevent soil runoff onto the streets and into the sewers. All driving lanes in and around the construction/demolition site shall be graveled and matted to allow access for emergency vehicles and to prevent trucks and equipment spreading soil/dirt onto the City's streets.

The Construction Code Official shall be provided with the name and contact information of the transporter of soils, the location where the soil came from and a certification of soil content.

Dust

Areas in and around all construction and demolition sites shall be maintained so as to minimize dust and assure that:

- saw cutting of masonry is watered;
- The hallways of all occupied buildings are swept as needed;
- A tanker truck or, if permitted by the Fire Department, a fire hydrant is present at demolition sites to water down the structure being demolished. Prior to the start demolition an inspection must be made to ensure compliance;
- Debris chutes are periodically hosed down so as to avoid the spread of construction dust;
- The area around, the construction site shall be regularly swept and watered to prevent the accumulation of dust.

§ 18 - Hours of operation

Construction/demolition activity, including the running of construction vehicles such as dump trucks, cement trucks, etc., but excluding pile driving (see § 14) is permitted between the hours 7:00 A.M. through 6:00 P.M. Monday through Friday.

Limited construction/demolition activity is permitted on Saturdays and Federal holidays between the hours 9:00 A.M. through 5:00 P.M. Work on Saturday and Federal holidays shall be limited to work in the interior of the structure and only when the structure is totally enclosed. No mechanical equipment shall be used on Saturday except exterior hoist ways for transporting workers.

Special permission to work outside the timeframes indicated above must be approved by the Construction Code Official.

§ 19 - Exterior hoist ways



Plans for exterior hoists shall be submitted to the Building Sub Code Official for approval. Tests of hoist(s) must be conducted prior to use. The manufacturer's report(s), operation reports, and testing certifications shall be maintained during use of exterior hoists and be made available upon request.

Before and after inclement weather, safety tests of hoists shall be performed in accordance with recommendations provided by the supplier or manufacturer and shall be made available upon request.

§ 20 - Construction site identification

The construction permit (yellow card) shall be posted in a conspicuous location on the work site as well as a sign no less than 36 inches wide and 36 inches long, printed on waterproof material, listing the following information:

- the owner's name and address and;
- the project name (if applicable) and a rendering of the project;
- the property address;
- a brief description of the project;
- the permit number & telephone number of the Office of the Construction Code Official;
- the anticipated completion date of the project;
- the general constructor's name, address and telephone number;
- the Safety Consultant's name, address and telephone number (if applicable);
- a telephone number where a person responsible for the project may be reached twenty-four (24) hours a day; and
- if the project has received a tax exemption, the Ordinance number authorizing the tax exemption and the email address, telephone number & QR Code of the City's Office of Diversity & Inclusion (ODI). See example below:

	
NAME OF PROJECT: ALPHA TOWERS 282 GROVE STREET	ESTIMATED COMPLETION DATE: NOVEMBER 2021
DESCRIPTION OF PROJECT: 24 STORY MIXED-USE RESIDENTIAL TOWER WWW.ALPHAJJC.COM	BUILDER/OWNER: ALPHA URBAN RENEWAL, LLC 123 ADAMS AVENUE TRENTON, NJ 08601
CONSTRUCTION PERMIT NUMBER: 112233445566	GENERAL CONTRACTOR: BETA CONSTRUCTION 456 AVENUE B BAYONNE, NJ 07002 201-555-4567
JC CONSTRUCTION CODE OFFICE: 201-547-5055	EMERGENCY CONTACT: DAN DELTA 212-555-41516 DDELTA@CAPPAAMGT.COM
SAFETY CONSULTANT: CAPPA CONSTRUCTION MANAGMENT 789 THIRD AVENUE NEWYORK, NY 10013 212-555-0112	
THIS PROJECT RECEIVED A TAX ABATEMENT PURSUANT TO CITY ORDINANCE 19-001.	
ARE YOU A RESIDENT OF JERSEY CITY WHO IS INTERESTED IN WORK AND/OR CONTRACTING OPPORTUNITIES ON THIS PROJECT? CONTACT THE JERSEY CITY OFFICE OF DIVERSITY & INCLUSION AT 201-547-5166 OR DIVERSITYANDINCLUSION@JCNJ.ORG .	
REGISTER HERE: WWW.COGNITIFORMS.COM/CITYOFJERSEYCITY/WORKFORCEDIVERSITYREGISTRATIONFORM	
	

§ 21 - Security barriers

The area around all work sites shall, at all times, be surrounded by barriers sufficient to keep trespassers from obtaining access to the site. All such barriers should conform to the standards set forth in the ICB 2000 or its successor. Temporary fencing is not permitted.

§ 22 - Mechanical equipment safety

All mechanical equipment, hoisting and lifting, including, but not limited to, cranes, exterior hoist ways, mechanical scaffolding shall be operated and maintained in accordance with the manufacturer's instructions and/or the provider's directives. Inspections shall be performed by independent third-party agencies or by the manufacturer(s), and certified by a design professional. All records relating to mechanical equipment safety, including but not limited to, any manufacturer's report(s), operation reports, and testing certifications shall be maintained on site.

All accidents or incidents shall be reported to the Office of the Construction Official as soon as possible after the accident or incident. Prior to resuming the use of any damaged or failed equipment, a re-inspection shall be performed by independent third-party agency or by the manufacturer(s), and certified by a design professional. The results of this re-inspection shall be provided in writing to the Office of the Construction Official prior to the Construction Official permitting resumption of operations.

All mechanical equipment shall be operated only by those licensed or otherwise qualified to operate it. The Construction Official may request and shall be provided proof of licensure or qualification to operate any mechanical machinery on a construction or demolition site. Generators may not be used within a structure, unless the structure is properly ventilated and generators may only be used during permitted working hours.

§ 23 - Sanitation & rodent control

Sanitation

Toilets

If there are no toilet facilities available on site, portable toilets shall be provided but they shall not be placed as not to obstruct the pedestrian rights of way. Toilets must be provided in the following numbers:

- 20 workers or less - 1 toilet;
- 20 or more - 1 toilet seat and 1 urinal per 40 workers;
- 200 or more - 1 toilet seat and 1 urinal per 50 workers.

Washing facilities

The owner or general contractor shall provide adequate washing facilities for employees engaged in the application of paints, coating, herbicides, or insecticides, or in other operations where contaminants may be harmful to the employees. Such facilities shall be in proximity to the worksite and equipped as to enable employees to remove such substances.

Drinking water

Adequate drinking water must be provided at all construction/demolition sites in compliance with the following standards:

- Potable (clean and drinkable) water must meet the standards for drinking prescribed by the U.S. Environmental Protection Agency's National Primary Drinking Water Regulations (40 CFR part 141).
- Portable containers used to dispense drinking water must be capable of being tightly closed, and equipped with a tap. Water must not be dipped from containers.
- Any container used to distribute drinking water must be clearly marked and not used for any other purpose.
- drinking cups for all workers shall be provided.
- Disposable cups, if provided, must have both a sanitary container for the unused cups and a receptacle for disposing of the used cups.

Non-drinking water

Any water stored on site that is not meant to be used for drinking such as water for industrial or firefighting purposes must be identified by signs that the water is not to be used for drinking, washing, or cooking purposes.

Eating and drinking areas

No employee must be allowed to consume food or beverages in a toilet room nor in any area exposed to a toxic material.

Change rooms

Whenever employees are required by a particular standard to wear protective clothing because of the possibility of contamination with toxic materials, change rooms equipped with storage facilities for street clothes and separate storage facilities for the protective clothing must be provided.

Rodent control

Every enclosed workplace shall be so constructed, equipped, and maintained, so far as reasonably practicable, as to prevent the entrance or harborage of rodents, insects, and other vermin. The owner of a property for which a construction or demolition permit has been issued shall have sufficient tamper-proof, all-weather bait stations with a Tier 1 Rating from the federal Environmental Protection Agency installed around the perimeter. Bait stations shall be checked and restocked with rodent bait blocks by a licensed exterminator on a regular basis throughout the course of construction until a certificate of occupancy is issued. A licensed exterminator shall submit monthly compliance reports to the Division of Health on behalf of the owner throughout the duration of construction/demolition. The report shall attest to the dates and times that the bait stations were checked and restocked.

§ 24 - Noise control

All construction and demolition activity must comply with the City's Noise Control regulations which can be found in Chapter 222 of the Municipal Code. No construction/ demolition work shall be performed between the hours of 6:00 P.M. and 7:00 A.M. on weekdays, or between the hours 6:00 P.M. and 9:00 A.M. on weekends and Federal holidays, unless such activities can meet the limits in Tables I, II and III found in Chapter 222-5.2. At all other times the limits in Tables I, II and III do not apply.

All motorized equipment used in construction and demolition activity shall be operated with a muffler and/or sound reduction device.

§ 25 - Fines

Violation of the construction controls specified in this manual or any City Ordinance pertaining to it may result in a fine of up to \$2,000 per day.

OFFICE OF THE CONSTRUCTION CODE OFFICIAL
Contact List

TITLE	LAST NAME	FIRST NAME	OFFICE PHONE	MOBILE PHONE	EMAIL
CONSTRUCTION CODE OFFICIAL	MEYER	RAYMOND	201.547.5055	551.256.2550	E: RAYMONDM@JCNI.ORG
BUILDING					
SUBCODE OFFICIAL	SEVERINI	JOSEPH	201.547.5020	551.256.2545	E: JOSEPHS@JCNI.ORG
BUILDING INSPECTOR	CHOHAN	NASIR	201.547.5020	551.256.2517	E: NCHOHAN@JCNI.ORG
BUILDING INSPECTOR	CILENTO	JEFFREY	201.547.5020	551.256.2518	E: CILENTOJ@JCNI.ORG
BUILDING INSPECTOR	LOIZOU	PANAYIOTIS	201.547.5020	551.256.2529	E: PLOIZOU@JCNI.ORG
BUILDING INSPECTOR	MALIK	MOHAMMAD	201.547.5020	551.256.2530	E: MMALIK@JCNI.ORG
BUILDING INSPECTOR	TORRES	ANTONIO	201.547.5020	551.256.2551	E: TORRESA@JCNI.ORG
ELECTRICAL					
SUBCODE OFFICIAL	ESPOSITO	PAUL	201.547.5697	551.256.2519	E: PESPOSITO@JCNI.ORG
ELECTRICAL INSPECTOR	SAAD	MAHMOUD	201.547.5697	551.256.2542	E: SADDM@JCNI.ORG
ELECTRICAL INSPECTOR	SADEK	KHALED	201.547.5697	551.256.2543	E: KSADEK@JCNI.ORG
ELECTRICAL INSPECTOR	SOOKDEO	RAMESH	201.547.5697	551.256.2549	E: RSOOKDEO@JCNI.ORG
ELEVATOR					
SUBCODE OFFICIAL	SNYDER	JOSEPH	201.547.4986	551.256.2548	E: JSNYDER@JCNI.ORG
ELEVATOR INSPECTOR	MCGOONAN	STEPHEN	201.547.4986	551.256.2548	E: SMCGOONAN@JCNI.ORG
ELEVATOR INSPECTOR	ROCHE	JOHN	201.547.4986	551.256.2548	E: JROCHE@JCNI.ORG
FIRE PROTECTION					
SUBCODE OFFICIAL	KARLOK	MICHAEL	201.547.5475	551.256.2527	E: MKARLOK@JCNI.ORG
FIRE INSPECTOR	FINK	FREDERICK	201.547.5475	551.256.2520	E: FFINK@JCNI.ORG
FIRE INSPECTOR	LANGON	PHILLIP	201.547.5475	551.256.2528	E: PLANGON@JCNI.ORG
FIRE INSPECTOR	PREZIOSO	FRANK	201.547.5475		E: FPREZIOSO@JCNI.ORG
PLUMBING					
SUBCODE OFFICIAL	RIZZO	ALDO	201.547.5048	551.256.2540	E: ALDO@JCNI.ORG
PLUMBING INSPECTOR	SILVA	EVARISTO	201.547.5048	551.256.2547	E: SILVAE@JCNI.ORG
PLUMBING INSPECTOR	CARDINALI	ROBERT	201.547.5048	551.256.2516	E: RCARDINALI@JCNI.ORG
PLUMBING INSPECTOR	MCMILLAN	JOHN	201.547.5048	551.256.2532	E: JMCMLLAN@JCNI.ORG
PLUMBING INSPECTOR	MIUCCIO	CHARLES	201.547.5048	551.256.2534	E: CMIUCCIO@JCNI.ORG

City Clerk File No. Ord. 19-015

Agenda No. 3.B 1st Reading

Agenda No. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 19-015

TITLE:

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE JOURNAL SQUARE 2060 REDEVELOPMENT PLAN TO AMEND THE FUND FOR PUBLIC ARTS BONUS TO APPLY TO ZONE 3 AND MODIFY THE CORNER LOT BONUSES MAP.

WHEREAS, the Municipal Council of the City of Jersey City, adopted the Journal Square 2060 Redevelopment Plan at its meeting of July 14, 2010, Ordinance #10-103; and

WHEREAS, the Municipal Council seeks to promote the continuing redevelopment of the area by expanding the Fund for Public Arts Bonus in Zone 3 of the redevelopment plan, removing an incorrectly placed corner lot bonus in Zone 3 and modifying the corner lot bonuses in Zone 4 and Zone 4a, and by; and

WHEREAS, a copy of the amended text and map is attached hereto and made a part hereof, and is available for public inspection at the Offices of the City Clerk, City Hall, 280 Grove Street, Jersey City, NJ; and


WHEREAS, the following amendments to the Journal Square 2060 Redevelopment Plan have been reviewed by the Jersey City Planning Board at its meeting on January 15, 2019; and

WHEREAS, the Planning Board voted to recommend adoption of this amendment by the Municipal Council; and

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that the recommended amendments to the Journal Square 2060 Redevelopment Plan be, and hereby are, adopted.

BE IT FURTHER ORDAINED THAT:

- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- B. This ordinance shall be a part of the Jersey City Code as though codified and set forth fully herein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- C. This ordinance shall take effect at the time and in the manner as provided by law.
- D. The City Clerk and the Corporation Council be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible repealers of existing provisions.
- E. The City Planning Division is hereby directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the Hudson County Planning board and to all other persons entitled thereto pursuant to N.J.S. 40:55D-15 and N.J.S. 40:55D-63 (if required). Upon the adoption of this Ordinance after public hearing thereon, the City Clerk is hereby directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Hudson County Planning Board as required by N.J.S. 40:55D-16. The clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Municipal Tax Assessor as required by N.J.S. 40:49-2.1.


Tanya Marione, PP, AICP, Director of Planning

APPROVED AS TO LEGAL FORM

APPROVED: 

APPROVED: _____

Corporation Counsel

Business Administrator

Certification Required ☐
Not Required ☐

ORDINANCE/RESOLUTION FACT SHEET – NON-CONTRACTUAL

This summary sheet is to be attached to the front of any resolution/ordinance that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution/ordinance.

Full Title of Ordinance/Resolution

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE JOURNAL SQUARE 2060 REDEVELOPMENT PLAN TO AMEND THE FUND FOR PUBLIC ARTS BONUS TO APPLY TO ZONE 3 AND MODIFY THE CORNER LOT BONUSES MAP.

Initiator

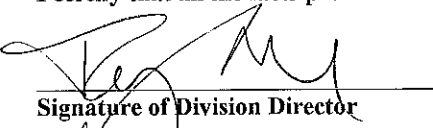
Department/Division	HEDC	
Name/Title	Tanya R. Marione, AICP, PP	Director
	Erica Baptiste	Senior Planner
Phone/email	201-547-5010	tanyam@jcnj.org/ebaptiste@jcnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Purpose

This ordinance amends the Journal Square 2060 Redevelopment Plan to expand the Fund for Public Arts Bonus to Zone 3, reduce the number of corner bonuses in Zone 4 and Zone 4a, and remove a corner bonus incorrectly placed in Zone 3.

I certify that all the facts presented herein are accurate.


Signature of Division Director

Date

11/31/19


Signature of Department Director

Date

2.4.19

SUMMARY STATEMENT

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE JOURNAL SQUARE 2060 REDEVELOPMENT PLAN TO AMEND THE FUND FOR PUBLIC ARTS BONUS TO APPLY TO ZONE 3 AND MODIFY THE CORNER LOT BONUSES MAP.

This ordinance amends the Journal Square 2060 Redevelopment Plan to expand the Fund for Public Arts Bonus to all of Zone 3. Currently, the bonus only applies to two blocks within the Journal Square 2060 Redevelopment Plan.

This ordinance will reduce the number of corner bonuses in Zone 4 and Zone 4a and remove the corner bonus incorrectly placed in Zone 3, on the corner of Summit Avenue and Hoboken Avenue without changing the intent or purpose of the JSQ 2060 RDP to create denser, transit-oriented development. These modifications are reflected on Map 3.

PROPOSED ZONING AMENDMENT

Highlighted, bold, italicized wording indicates new language proposed, and struck-out wording indicates language to be removed:

IV) GENERAL ADMINISTRATIVE PROVISIONS

S) FUND FOR PUBLIC ARTS BONUS:

- 1) All "~~A~~" Corner lots in excess ***10,000*** ~~12,200~~ s.f that are ***within Zone 3*** East of Summit Avenue and South of Rock Street shall be entitled to a density bonus allowing for the addition of ***two (2)*** ~~four (4)~~ additional story levels or 40 additional feet in building height (in addition to any other ***not to be combined with the office space*** bonus provisions provided for in this plan), subject to the developer contributing the sum of ***\$35,000*** ~~\$7,500~~ for each additional, market rate unit within the additional ***two (2)*** ~~four (4)~~ story levels, to be dedicated to a City Fund for Public Arts subject to a redevelopment agreement with the Jersey City Redevelopment Agency.

JOURNAL SQUARE 2060

MAP 3: CORNER LOT BONUS MAP

JANUARY 15, 2019

1 inch = 520 feet

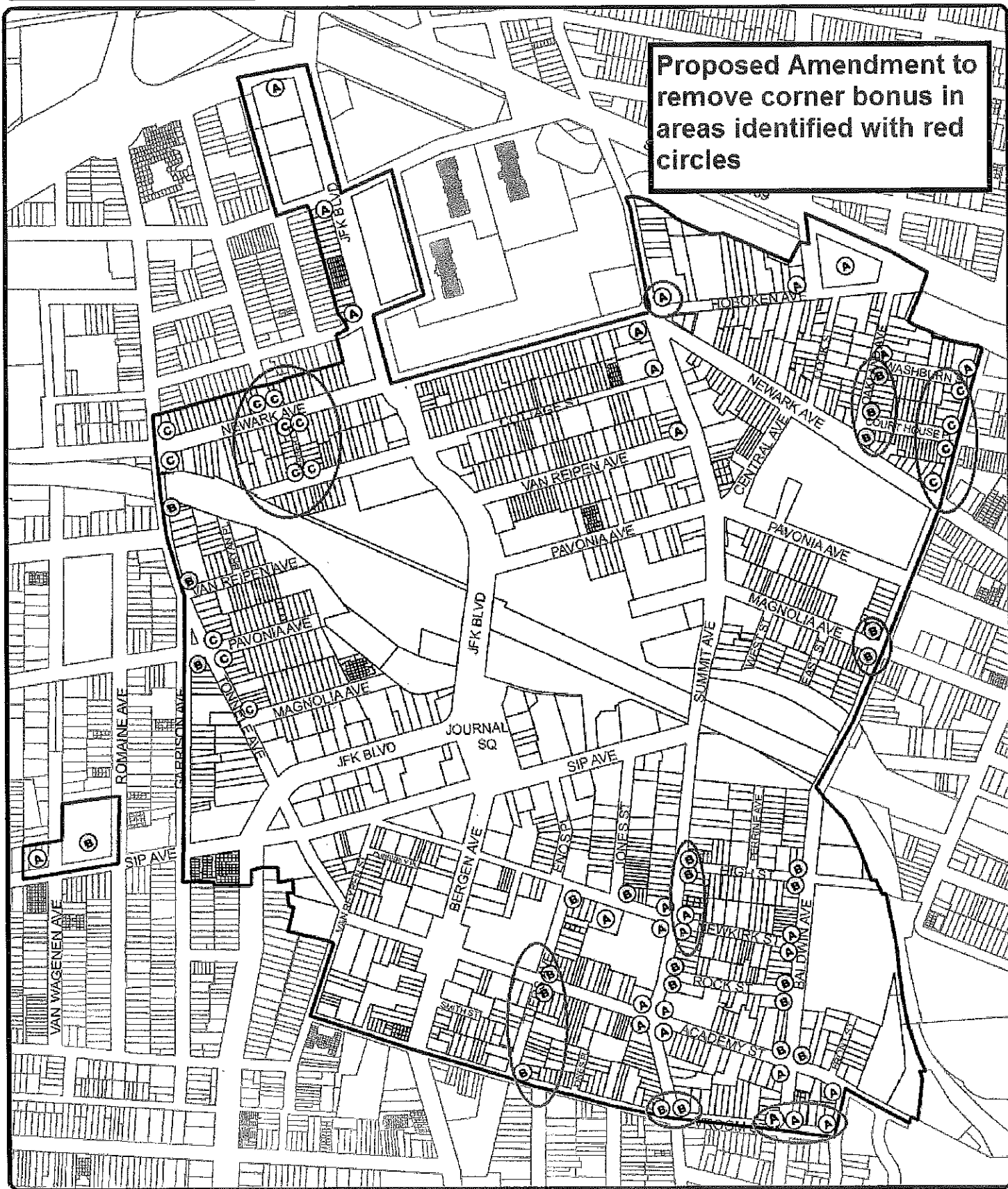
0 250 500 1,000 Feet



Corner Lot Bonus Locations

- (A) A Bonus Corner
- (B) B Bonus Corner
- (C) C Bonus Corner

Proposed Amendment to remove corner bonus in areas identified with red circles



JOURNAL SQUARE 2060

MAP 2: ZONE DISTRICTS MAP

Amendment: SEPTEMBER 25, 2018

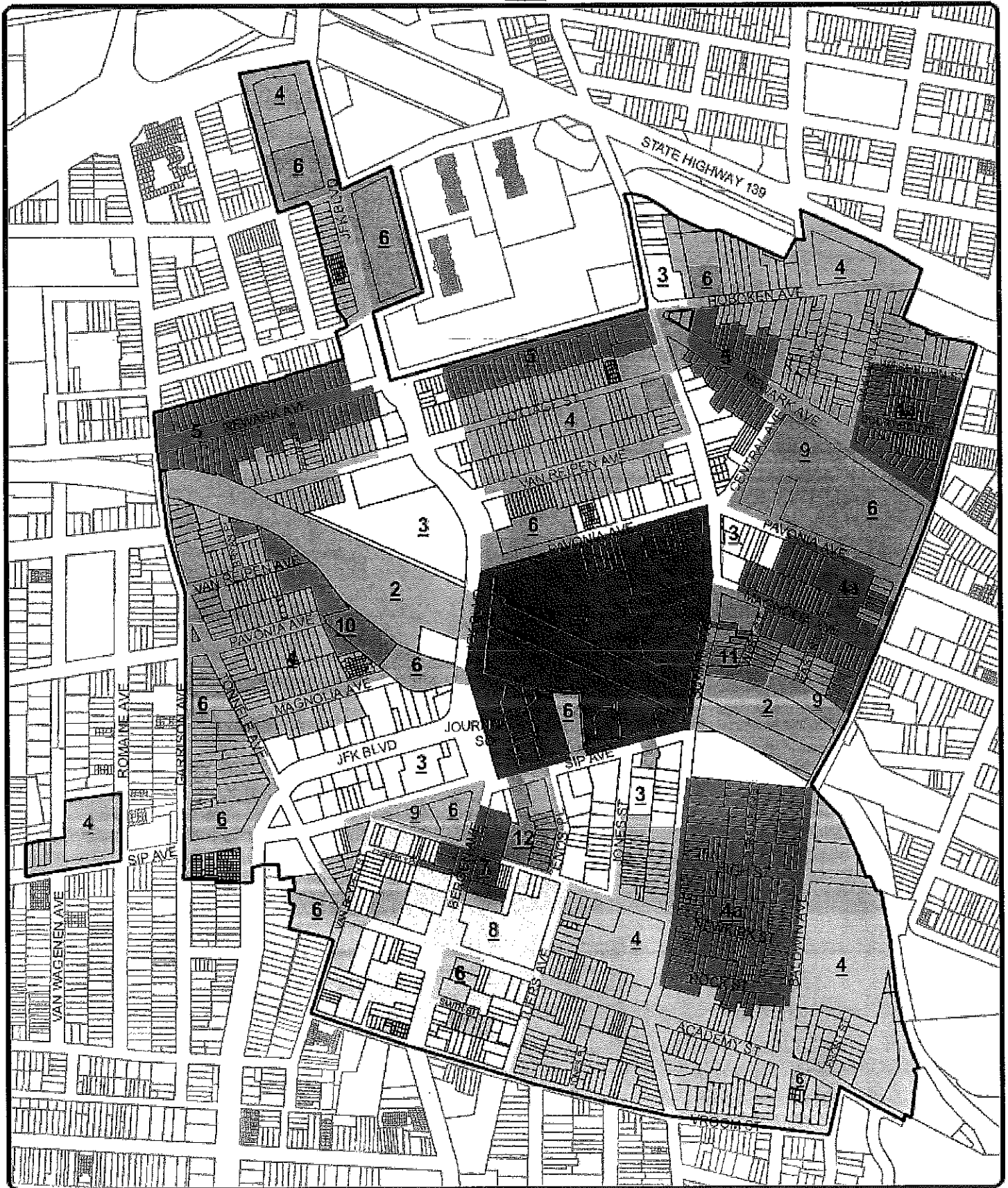
1 inch = 520 feet

0 130 260 520 780 Feet



Zone Districts

- | | | | |
|--|--------------------------------|---------------------------------|-----------------------|
| | Zone 1: Core | | Zone 6: Preservation |
| | Zone 2: Air-Rights | | Zone 7: Deco |
| | Zone 3: Commercial Center | | Zone 8: Bergen Square |
| | Zone 4: Neighborhood Mixed Use | | Zone 9: Parks |
| | Zone 4a: Community Mixed Use | Site Specific Districts: | |
| | Zone 5: Commercial Main Street | | |



City Clerk File No. Ord. 19-016

Agenda No. 3-C 1st Reading

Agenda No. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 19-016

TITLE:

AN ORDINANCE AUTHORIZING THE CITY TO ENTER INTO A MONTH TO MONTH TENANCY WITH THE MARTIN LUTHER KING DRIVE URBAN RENEWAL JOINT VENTURE PARTNERSHIP FOR OFFICE SPACE LOCATED AT 380-382 MARTIN LUTHER KING DRIVE.

WHEREAS, the City of Jersey City (the "City") has a need for space for the use of governmental offices; and

WHEREAS, N.J.S.A. 40A:12-5 provides that a municipality may by Ordinance authorize a lease of real property if it determines it is needed for municipal purposes; and

WHEREAS, the Martin Luther King Drive Urban Renewal Joint Venture Partnership, is the Managing Agent of the property located at 380-382 Martin Luther King Drive; and

WHEREAS, the City will lease certain space within the Martin Luther King Hub Plaza consisting of approximately 1,965 square feet and located at 380-382 Martin Luther King Drive (the "property"), to be used for the Division of Commerce ("Commerce"), and

WHEREAS, the City has agreed to a month to month tenancy effective January 1, 2019; and

WHEREAS, the payment of rent shall be at a rate of \$13.33 per sq. ft. for a total of \$26,193.48 per year or \$2,182.79 per month; and

WHEREAS, there are additional common charges of approximately \$7,000.00 per year; and

WHEREAS, the City shall have the right to terminate the Lease Agreement at any time without cause; and

WHEREAS, Martin Luther King Drive Urban Renewal Joint Venture Partnership agrees to execute the Lease Agreement attached hereto; and

WHEREAS, funds will be made available in the 2019 temporary, permanent and future Calendar Year Budgets in account # 01-201-31-432-304.

NOW THEREFORE BE IT ORDAINED by the Municipal Council of the City that:

1. The Mayor or Business Administrator is authorized to execute the attached Lease Agreement with the Martin Luther King Drive Urban Renewal Joint Venture Partnership subject to such modification as may be deemed necessary or appropriate by Corporation Counsel.
2. The term of the Lease Agreement is effective January 1, 2019 at a rate of \$13.33 per sq. ft. for a total annual cost not to exceed \$33,189.00 payable in monthly installments of \$2,182.79 for rent plus \$583.00 for common charges.
3. The City shall have the right at its convenience to terminate the Lease Agreement at any time without cause.

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED: *Ann Marie Miller, Real Estate Manager*

APPROVED: _____
Business Administrator

Certification Required ☐
Not Required ☐

R.R.
2-15-19

RESOLUTION FACT SHEET – NON-CONTRACTUAL

This summary sheet is to be attached to the front of any resolution that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

Full Title of Ordinance/Resolution

ORDINANCE AUTHORIZING THE CITY TO ENTER INTO A MONTH TO MONTH TENANCY WITH THE MARTIN LUTHER KING DRIVE URBAN RENEWAL JOINT VENTURE PARTNERSHIP FOR OFFICE SPACE LOCATED AT 380-382 MARTIN LUTHER KING DRIVE

Initiator

Department/Division	Administration	Real Estate
Name /Title	Ann Marie Miller	Real Estate Manager
Phone/E-Mail	(201) 547-5234	annmarie@jcnj.org

Note initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Resolution Purpose

The City has a need for office space for the Division of Commerce. Martin Luther King Drive Urban Renewal Joint Venture Partnership is the managing agent for property located at 380-382 Martin Luther King Drive. The City will lease certain space within the Martin Luther King Hub Plaza consisting of approximately 1,965 sq. ft. and located at 380-382 Martin Luther King Drive to be used for the Division of Commerce.

I certify that all the facts presented herein are accurate.

Signature of Department Director

Date

LEASE AGREEMENT

THIS LEASE AGREEMENT made this _____ day of _____, 20____ between the **MARTIN LUTHER KING DRIVE URBAN RENEWAL JOINT VENTURE PARTNERSHIP** located at **2 POND'S EDGE DRIVE, CHADDS FORD, PA 19317** and the **CITY OF JERSEY CITY (City)**, having it's principal place of business at City Hall, 280 Grove Street, Jersey City, New Jersey 07302.

ARTICLE ONE

Premises

The City requires office space for the Division of Commerce and the Martin Luther King Drive Urban Renewal Joint Venture Partnership agrees to rent 1,965 sq. ft. @ \$13.33 per sq. ft. of office space located at 380-382 Martin Luther King Drive

ARTICLE TWO

Term

As a Month to Month Tenancy effective as of January 1, 2019. The City shall have the right to terminate at any time without cause.

ARTICLE THREE

Use

The City is currently using and may continue to use and occupy 1,965 sq. ft. of office space located at 380-382 Martin Luther King Drive, Jersey City, New Jersey for the Division of Commerce.

ARTICLE FOUR

Payment of Rent

The City covenants and agrees to pay the Martin Luther King Drive Urban Renewal Joint Venture Partnership rent for and during the Month to Month Tenancy, 1,965 sq. ft. @ \$13.33 per sq. ft. or the sum of Two Thousand One Hundred Eighty Two Dollars Seventy Nine Cents (\$2,182.79) per month or Twenty Six thousand One Hundred Ninety Three and Forty Eight Cents (\$26,193.48) per year. The City will also pay Common Charges in the amount of approximately Seven Thousand Dollar (\$7,000.00) per year or Five Hundred Eighty Three (\$583.00) per month.

ARTICLE FIVE
Maintenance and Repairs

Landlord shall take good care of the Property and shall, at its own cost and expense, make all repairs and maintain the Property, including the heating system, water service, roof and common areas, in good condition and state of repair during the Term. The Landlord shall be responsible for keeping the Property and all parts thereof in a clean and sanitary condition and free from trash, inflammable material, and other objectionable matter, and shall keep the sidewalks and parking areas in front of the Property free of ice, snow and debris. During the Term, the City shall maintain the Property subject to this Lease in good condition, wear and tear for a reasonable use thereof and damage by the elements not resulting from the neglect or fault of the City excepted.

ARTICLE SIX
Damage

In case of the destruction of or any damage of any kind whatsoever to the Property, caused by the carelessness, negligence, or improper conduct on the part of the Landlord or its agents, employees, guests, licensees, invitees, assignees or successors or other tenants at the Martin Luther King Hub Plaza, the Landlord shall repair the damage or restore any destroyed parts of the property, as speedily as possible, at the Landlord's sole cost and expense.

ARTICLE SEVEN
Signs

The Landlord shall provide a suitable place for a sign, indicating the location of the City's offices. The City shall place such signs in or about the property or any part thereof, including the design and structure thereof as the City deems appropriate or necessary.

ARTICLE EIGHT
Utilities

The Landlord will have a separate PSE&G meter for the property and the bill will be paid directly by the City to PSE&G.

ARTICLE NINE
Compliance

The Landlord shall promptly comply with all the laws, ordinances, rules, regulations, requirements and directives of the Federal, State and Municipal Governments or other public authorities and of all of their departments, bureaus, divisions and subdivisions, applicable to and affecting the property and its use and occupancy for the correction, prevention and abatement of nuisances, violations or other grievances in, upon or connected with the Property, during the Term and shall promptly comply with all orders, regulations, requirements and directives of the Board of Fire Underwriters or similar authority and of any insurance companies with policies affecting the Property and its use, contents or events occurring thereat, for the prevention of fire or other casualty, damage or injury, at the Landlord's own cost and expense.

ARTICLE TEN

Indemnification

The City agrees to and shall save, hold and keep harmless the Landlord from and for any and all payments , expenses, costs, attorneys' fees and from and for all claims and liability for losses or damages to the Property or injuries to persons occasioned wholly or in part by or resulting from any errors, omissions or negligent acts by the City or the City's agents employees, guests, licensees, invitees, subtenants, assignees or successors arising out of the occupancy by the City and the conduct of the City's business.

ARTICLE ELEVEN

Assignment Sub-Lease

The City shall not, without prior written consent of the Martin Luther King Drive Urban Renewal Joint Venture Partnership assign mortgagor hypothecate this Lease, or sublet or sublease the premises or any part hereof.

ARTICLE TWELVE

Restriction of Use

The City shall not occupy or use the Property or any part thereof, nor permit or suffer the same to be occupied or used for any purpose other than as herein limited, nor for any purpose deemed unlawful, disreputable or extra hazardous, on account of fire or any other casualty.

ARTICLE THIRTEEN

Inspection and Repair

The City agrees that the Landlord and the Landlord's agents, employees, or other representatives, shall have the right to enter into and upon the Property or any part thereof, at all reasonable hours, for the purposes of examining the same or making such repairs or alterations therein as may be necessary for the safety and preservation thereof. This clause shall not be deemed to be a covenant by the City nor be construed to create an obligation on the part of the City to make such inspection or repairs.

ARTICLE FOURTEEN

Termination

The City shall have the right at it's convenience to terminate the Lease Agreement at any time without cause.

ARTICLE FIFTEEN
Validity of Lease Agreement

The terms, conditions, covenants and provisions of this Lease shall be deemed to be severable. If any clause or provision herein contained shall be adjudged to be invalid or unenforceable by a court of competent jurisdiction or by operation of any applicable law, it shall not affect the validity or any other clause or provision herein, but such other clauses or provisions shall remain in full force and effect.

ARTICLE SIXTEEN
Notices

All notices and demand, incidental to this Lease Agreement, or the occupation of the Property, shall be in writing. If the City desires to serve any notice or demand it shall be sufficient to send a copy by certified mail, return receipt requested, or delivered to:

Martin Luther King Drive Urban Renewal Joint Venture Partnership
2 Pond's Edge Drive
Chadds Ford, Pa 19317
Attn: Eric Moore

Notices from the Martin Luther King Drive Urban Renewal Joint Venture Partnership shall be sent by certified mail, return receipt requested, or delivered to:

City of Jersey City
Devison of Real Estate
280 Grove Street
Jersey City, N.J. 07302

Any copy of any notice to the City should also be addressed to the City of Jersey City Business Administrator.

ARTICLE SEVENTEEN
Entire Contract

This Lease Agreement contains the entire contract between the parties. No representative, agent or employee of the Martin Luther King Drive Urban Renewal Joint Venture Partnership has been authorized to make any representations or promises with reference to the within letting or to vary, alter or modify the terms hereof. No additions changes or modifications, renewals or extensions hereof, shall be binding unless reduced to writing and signed by the Martin Luther King Drive Urban Renewal Joint Venture Partnership and the City.

ARTICLE EIGHTEEN

This Lease Agreement may not be filed by the City without the prior written consent of the Martin Luther King Drive Urban Renewal Joint Venture Partnership.

The Martin Luther King Drive Urban Renewal Joint Venture Partnership may pursue the relief or remedy sought in any invalid clause, by conforming the said clause with the provisions of the status or the regulations of any governmental agency in such case made and provided as if the particular provisions of the applicable statutes or regulations were set forth herein at length.

In all references herein to any parties, persons, entities or corporation the use of any particular gender or the singular number is intended to include the appropriate gender or number as the text of the within instrument may require. All the terms, covenants and conditions herein contained shall be for and shall inure to the benefit of and shall bind the respective parties hereto, and their heirs, executors, administrators, personal or legal representatives, successors and assigns.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals, or caused these presents to be signed by their proper corporate officers and their proper corporate seal to be hereunto affixed, the day and year first above written.

ATTEST:

CITY OF JERSEY CITY:

ROBERT BYRNE
City Clerk

BRIAN PLATT
Business Administrator

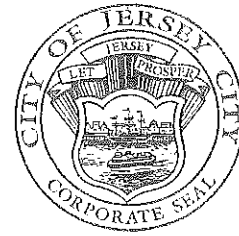
WITNESS:

**MARTIN LUTHER KING DRIVE URBAN
RENEWAL JOINT VENTURE PARTNERSHIP:**

City Clerk File No. Ord. 19-017

Agenda No. 3.D 1st Reading

Agenda No. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 19-017

**TITLE: AN ORDINANCE EXPANDING THE BOUNDARIES OF THE EXCHANGE
PLACE SPECIAL IMPROVEMENT DISTRICT TO INCLUDE THE
ENTIRETY OF PAULUS HOOK PARK**

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY HEREBY ORDAINS:

WHEREAS, Pursuant to Ordinance 16-176, the Municipal Council of the City of Jersey City authorized the establishment of the Exchange Place Special Improvement District (hereinafter "the District"); and

WHEREAS, the District's boundaries currently include the northeast section of Paulus Hook Park (hereinafter "the Park") which is located at the intersection of Washington and Grand Streets and which is designated as Block 14303, Lot 4; and

WHEREAS, the Park has four (4) distinct sections, each occupying a corner of the intersection of Washington and Grand Streets; and

WHEREAS, the northeast section of the Park is included in the District and the other three sections of the Park, the northwest section, the southwest section and the southeast section, are not currently part of the District; and

WHEREAS, on January 23, 2019, the District's management petitioned the City to expand the boundaries of the District to include the entirety of Paulus Hook Park which would require adding the remaining three sections of the Park into the District; and

WHEREAS, the District seeks to do this because it wishes to improve and revitalize the Park but it can only do so if the entirety of the Park is contained within the boundaries of the District; and

WHEREAS, a map of the proposed expansion is attached hereto as Exhibit "A" and which is also on file in the Office of the City Clerk; and

WHEREAS, the District seeks to include Block 14304, Lot 1 (the Park's southeast section), Block 14305, Lot 8 (the Park's southwest section) & Block 14306, Lot 12 (the Park's northwest section) in the District's expanded boundaries; and

WHEREAS, this proposed expansion includes no other properties; and

WHEREAS, in accordance with N.J.S.A. 40:56-68(b), the Municipal Council finds that (1) the Park would benefit from being included in the District, (2) the District's management corporation would provide administrative and other services which would benefit the Park, and (3) it is in the City's best interest to expand the boundaries of the Exchange Place Special Improvement District to include the entirety of Paulus Hook Park; and

WHEREAS, by virtue of the Park being owned by the City, the Park would be expressly exempt from any fee, tax or special assessment which is imposed on all the other properties within the District; and

WHEREAS, in accordance with N.J.S.A. 40:56-71, at least ten (10) days prior to the public hearing on this Ordinance, a copy of this Ordinance and notice of the date, time and place of the hearing shall be mailed to the owners of the lots or parcels of land abutting or directly affected by the expansion of this District.

NOW, THEREFORE BE IT ORDAINED, by the Municipal Council of the City of Jersey City that the boundaries of the Exchange Place Special Improvement District are hereby expanded to include Block 14304, Lot 1, Block 14305, Lot 8 & Block 14306, Lot 12 signifying the entirety of Paulus Hook Park and Chapter 69 (Special Improvement Districts), Article VI (Exchange Place Special Improvement District) be amended to read as follows:

**CHAPTER 69
SPECIAL IMPROVEMENT DISTRICTS**

**ARTICLE VI
Exchange Place Special Improvement District**

§ 69-68. - Purpose.

The purposes of this article are to:

- A. Promote economic growth and employment within the expanded Exchange Place business district;
- B. Foster and encourage self-help programs to enhance the local business climate;
- C. Create a self-financing special improvement district to assist in meeting local needs, goals and objectives;
- D. Designate a district management corporation to implement and manage the programs and carry out local needs, goals and objectives;
- E. Impose and collect a special assessment on property and parking lots located within the expanded Exchange Place Business District.

§ 69-69. - Definitions.

- A. *Special improvement district* (also referred to as "district") means that area of Exchange Place described by block and lot numbers and street addresses as set forth in Schedule A, as amended by Ordinance 19-017, and a copy of the assessment role dated November 9, 2016 which is on file in the office of the City Clerk, and designated by this article, in which a special assessment on the commercial property within the district (including multi-tenant residential rental buildings), including without limitation those properties set forth on Schedule B, shall be imposed for the purposes of promoting the economic and general welfare of the district and the City. The amount of the special assessment for each property subject to the special assessment shall be equal to the percentage derived by dividing the assessed value of such property as of January 1 of any given calendar year, notwithstanding that the assessment may thereafter change, by the assessed value of all properties subject to the special assessment on January 1 of a given year, notwithstanding that the assessment may thereafter change, multiplied by the total amount of the budget proposed by the district management corporation and approved by the Municipal Council.
- B. *District management corporation* means the Exchange Place Alliance, (also referred to as "Management Corporation") an entity incorporated pursuant to Title 15A of the New Jersey Statutes and designated by this article to receive funds collected by a special assessment within the special improvement district, as authorized by this article and any amendments thereto.

§ 69-70. - Findings.

NO CHANE

§ 69-71. - Creation of district.

- A. There is hereby created and designated within the City of Jersey City a special improvement district to be known as the Exchange Place Special Improvement District consisting of those properties designated by tax block and lot and street addresses on Schedule A, as amended by Ordinance 19-017, attached hereto and on file in the Office of the City Clerk. The properties within the special improvement district that shall be subject to special assessment for the purposes of promoting the economic and general welfare of the district and the City include all commercial properties (including multi-tenant residential rental buildings), including without limitation those properties set forth on Schedule B, shall be imposed for the purposes of promoting the economic and general welfare of the district and the City. The amount of the special assessment for each property subject to the special assessment shall be equal to the percentage derived by dividing the assessed value of such property as of January 1 of any given calendar year, notwithstanding that the assessment may thereafter change, by the assessed value of all properties subject to the special assessment on January 1 of a given year, notwithstanding that the assessment may thereafter change, multiplied by the total amount of the budget proposed by the district management corporation and approved by the Municipal Council.
- B. All commercial properties within the special improvement district (including multi-tenant residential rental buildings), including without limitation those properties set forth on Schedule B, all private properties; and tax exempt land which contain improvements subject to property tax, are deemed included in the assessing and taxing provisions of this article and are expressly subject to any fee, tax or assessment made for special improvement district purposes.
- C. Only those properties within the special improvement district that are fully tax-exempt or are deemed excluded from the assessing provisions of this article and are expressly exempt from any fee, tax or assessment made for special improvement district purposes.

§ 69-72. - Appeal of property owner from inclusion in the district.

NO CHANGE.

§ 69-72.1. - Assessments.

NO CHANGE.

§ 69-73. - Designation of district management corporation.

NO CHANGE.

§ 69-74. - Powers of district management corporation.

NO CHANGE.

§ 69-75. - By-laws.

NO CHANGE.

§ 69-76. - Municipal powers retained.

NO CHANGE.

§ 69-77. - Annual budget.

NO CHANGE.

§ 69-78. - Fiscal requirements; annual report; audit.

NO CHANGE.

§ 69-79. - No limitations of powers.

NO CHANGE.

§ 69-80. - Implementation.

NO CHANGE.

§ 69-81. - Severability.

NO CHANGE.

- I. All ordinances and parts of ordinance inconsistent herewith are hereby repealed.
- II. This ordinance shall be part of the Jersey City Code as though codified and fully set forth therein. The City Clerk shall have this ordinance and incorporated in the official copies of the Jersey City Code.
- III. This ordinance shall take effect at the time and in the manner as provided by law.
- IV. The City Clerk and the Corporation Counsel be and are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing provisions.

NOTE: All new material is underlined; words in [brackets] are omitted. For purposes of advertising only, new matter is **boldface** and repealed matter by *italics*.

JJH 2/21/19

APPROVED AS TO LEGAL FORM

APPROVED: _____

Corporation Counsel

APPROVED: _____
Business Administrator

Certification Required ☐

Not Required ☐

ORDINANCE FACT SHEET

This summary sheet is to be attached to the front of any Ordinance that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the Ordinance.

Full Title of Ordinance

AN ORDINANCE EXPANDING THE BOUNDARIES OF THE EXCHANGE PLACE SPECIAL IMPROVEMENT DISTRICT TO INCLUDE THE ENTIRETY OF PAULUS HOOK PARK

Initiator

Department/Division	Department of Business Administration	Office of the Business Administrator
Name/Title	Brian D. Platt	Business Administrator
Phone/email	201-547-4513	bplatt@icnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Ordinance Purpose

This Ordinance authorizes the expansion of the Exchange Place SID to include the entirety of Paulus Hook Park. Currently, the boundaries of the SID only contain the northeast quadrant of the Park at the intersection of Grand and Washington Streets.

I certify that all the facts presented herein are accurate.

Brian D. Platt
Business Administrator

February 21, 2019

Date

EXHIBIT A

EXCHANGE PLACE SPECIAL IMPROVEMENT DISTRICT PROPOSED EXPANSION MAP (FOUR CORNERS PARK)

Adopted : ORD. 16.176 December 14, 2016

Revised: RES. 17.595 July 19, 2017

PROPOSED EXPANSION: October 19, 2018

MAP NO. 567

